

**EXHIBIT A**

**Proposed Order**

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF IOWA**

---

In re:

MERCY HOSPITAL, IOWA CITY, IOWA,  
*et al.*,  
  
Debtors.

)  
) Chapter 11  
)

) Case No. 23-00623 (TJC)  
)

) Jointly Administered  
)  
)

---

**[PROPOSED] ORDER GRANTING TRUST OVERSIGHT COMMITTEE’S  
EXPEDITED MOTION FOR ORDER SETTING EVIDENTIARY HEARING AND  
REQUIRING MERCYONE TO APPEAR AND SHOW CAUSE AT THE EVIDENTIARY  
HEARING**

Upon the motion (the “Motion”) of the OC<sup>1</sup> for entry of an order (the “Order”) setting an evidentiary hearing for (i) MercyOne to appear and show cause as to its compliance with the OC Rule 2004 Order and related issues and (ii) the Court to consider suspending or equitably tolling certain statutes of limitation related to claims against MercyOne and its affiliated individuals; and the Court having jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334 and the *Public Administrative Order* referring bankruptcy cases entered by the United States District Court for the Northern District of Iowa; and the matter being a core proceeding within the meaning of 28 U.S.C. § 157(b)(2); and venue of this proceeding and the Motion in this District being proper pursuant to 28 U.S.C. §§ 1408 and 1409; and the Court being able to issue a final order consistent with Article III of the United States Constitution; and due and sufficient notice of the Motion having been given under the particular circumstances; and it appearing that no other or further notice is necessary; and it appearing that the relief requested in the Motion is in the best interests of the parties; and after due deliberation thereon; and good and sufficient cause appearing therefor; it is hereby

---

<sup>1</sup> Capitalized terms used herein but not otherwise defined shall have the meaning ascribed to them in the Motion.

**ORDERED, ADJUDGED AND DECREED THAT:**

1. The Motion is granted as set forth herein.
2. An evidentiary hearing is set for Monday, July 14, 2025 at 10:30 A.M. at the 6th Floor Courtroom, 111 Seventh Avenue SE, Cedar Rapids, Iowa 52401 (the "Hearing").
3. MercyOne is ordered to present a witness or witnesses at the Hearing that (i) have a full and complete knowledge of the process MercyOne employed to search for responsive documents and communications requested in the OC Rule 2004 Order, (ii) have full and complete knowledge of if, and to what extent, electronic communications related to MIC were lost, deleted, or destroyed as part of either the merger with Trinity or MercyOne's document retention policies, and (iii) have full and complete knowledge about back up servers or other parties that may have duplicate copies of MercyOne's electronic communications related to MIC that were otherwise lost, deleted, or destroyed.
4. The Court will consider the request for suspension and tolling of certain statutes of limitations related to potential claims against MercyOne or associated individuals at the Hearing.
5. Local Rule 9070-1 is amended as follows: MercyOne and the OC shall exchange exhibit and witness lists no later than Wednesday, July 9, 2025. Each party shall have until 12:00 P.M. on Friday, July 11, 2025 to file and serve a written objection to any of the other party's proposed exhibits or witnesses.
6. The OC's rights with respect to other issues related to MercyOne's compliance with the OC Rule 2004 Order or otherwise are reserved.
7. Notwithstanding any applicability of any Bankruptcy Rule, the terms and conditions of this Order shall be immediately effective and enforceable upon its entry.

8. The Court retains exclusive jurisdiction to hear and determine any and all disputes related to or arising from the implementation, interpretation, and enforcement of this Order.

Dated and entered this \_\_\_\_ day of July, 2025.

---

Honorable Thad J. Collins, Chief Judge

**Prepared and Submitted By:**

**NYEMASTER GOODE, P.C.**  
Roy Leaf, AT0014486  
625 First Street SE, Suite 400  
Cedar Rapids, IA 52401-2030  
Telephone: (319) 286-7002  
Facsimile: (319) 286-7050  
Email: rleaf@nyemaster.com

*Counsel for Counsel for the Mercy Hospital Liquidation  
Trust Oversight Committee as Designee of the Liquidation Trustee*